

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE
~~XXXXXXXXXX~~ DIVISION

APRIL PIPER and SHAYLA
MAKI THURMAN

VERSUS

MONROE CITY POLICE
DEPARTMENT, WAL-MART STORES,
INC., ET AL

3
CIVIL ACTION NO. 3:10-CV-00370

JUDGE: ~~XXXXXXXXXXXXXX~~ Elizabeth E Foote
MAGISTRATE: ~~XXXXXXXXXXXXXX~~ Karen L Hayes
JURY TRIAL

SECOND AMENDED COMPLAINT

NOW INTO COURT, through the undersigned counsel, comes and appears, APRIL PIPER and SHAYLA MAKI THURMAN, plaintiffs in the above entitled and numbered cause, who desire to Amend and Supplement their First Amended Complaint herein, in the particulars set forth below:

I.

By amending paragraph 5 of their First Amended Complaint to amend defendants, namely, CITY OF MONROE, in lieu of MONROE CITY POLICE DEPARTMENT and WAL-MART LOUISIANA, LLC, in lieu of WAL-MART STORES, INC.:

"5.

Made defendants herein are as follows:

- A. CITY OF MONROE, a municipality of the State of Louisiana, which at all times herein mentioned was the employer of the police officer also named as a defendant;
- B. OFFICER CHRISTOPHER L. TURNER, who at all times herein

mentioned was a police officer with the Monroe City Police Department and was acting under color of law and in the course and scope of his employment with said police department;

C. WAL-MART LOUISIANA, LLC, a foreign corporation authorized to do and doing business in the State of Louisiana."

II.

By amending paragraph Nos. 12, 15, and 16, as follows:

"12.

When Officer Christopher L. Turner and the store manager finally released plaintiffs, they were told that they were banned indefinitely from all Wal-Mart Louisiana, LLC stores and vicinities.

15.

All the foregoing actions were done by defendant, Officer Christopher L. Turner of the Monroe City Police Department, in the course and scope of his duties, and the City of Monroe is therefore liable for his actions. This Court has supplemental jurisdiction to redress plaintiffs' claims for state torts of assault and battery, false arrest, false imprisonment, and defamation.

16.

At all pertinent times, Wal-Mart Louisiana, LLC employees were willing participants in joint actions with the police officer, Christopher L. Turner, together with whom the store employees acted and/or obtained significant aid from said Officer Christopher L.

Turner in detaining plaintiffs, and designated the suspicion upon which the deprivation of plaintiffs' rights were based."

III.

Petitioners renew and reiterate all of the allegations and prayers of their original complaint and First Amended Complaint as amended hereby.

WHEREFORE, plaintiffs pray that this Second Amended Complaint be filed and served upon the defendants; and further, that after due proceedings had, there be judgment herein in their favor and against the defendants as set forth in the Amended Prayer.

Respectfully Submitted,

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s/ T. Taylor Townsend
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